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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,681	06/11/2001	Limor Schweitzer	XACTP004	4996
28875	7590	09/20/2005	EXAMINER	
Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			HAN, CLEMENCE S	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. K	Applicant(s)	
	09/879,681	SCHWEITZER, LIMOR	
	Examiner	Art Unit	
	Clemence Han	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-14, 16-21, 24, 25, 28-30 and 33-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-14, 16-21, 24, 25, 28-30 and 33-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed on 07/30/2001 and 08/16/2005 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claim 1-5, 10-14, 19, 30 and 33-36 rejected under 35 U.S.C. 103(a) as being unpatentable over Wallenius (US Patent 6,760,417) in view of Albal (US 6,668,046) and further in view of Bullard et al. (US 6,405,251).

Regarding claim 1 and 10, Wallenius teaches a method and computer program product for charging for Internet Protocol usage utilizing a wireless network, comprising: (a) receiving call description record information from a wireless network in real-time, wherein the call description record information is associated with customer communication over the wireless network (Column 5 Line 31-33); (b) collecting Internet Protocol content usage information associated with the transmission of content using an IP during the customer communication in real-time (Column 5 Line 6-18); and (c) charging the customer for the customer communication utilizing the call description record information and the Internet Protocol content usage information (Column 6 Line 1-3). Wallenius, however, does not teach the customer is charged for the customer communication by mapping the Internet Protocol content usage information to the call description record information to generate mapped information that is filtered, enhanced and aggregated prior to being delivered to a billing module. Albal teaches the customer is charged for the customer communication by mapping the Internet Protocol content usage information 94 to the call description record information 88 to generate mapped information 102 that is filtered, enhanced and aggregated prior to being delivered to a billing module (Column 7 Line 42-59, see Figure 4 and 5); wherein the mapping includes collecting source 154, an amount of sent and

received data 156 and delivery time 160; wherein the mapping includes storing a table in memory that is used to associate dynamic IP flow with wireless identity information (Figure 2, IMSI is a standard.). It would have been obvious to one skilled in the art to modify Wallenius to have the internet protocol content usage information to the call description record information as taught by Albal in order to consolidate billings (Column 8 Line 28-36). Wallenius in view of Albal, however, does not teach collecting source and destination Internet Protocol address, application information and start timestamps. Bullard teaches collecting source and destination Internet Protocol address 526 and 528, application information 264, and start timestamps 516. It would have been obvious to one skilled in the art to modify Wallenius in view of Albal to collect source and destination Internet Protocol address, application information and start timestamps as taught by Bullard in order to provide more complete information to billing module (Column 3 Line 10-15).

Regarding claim 2 and 11, Wallenius teaches the call description record information received from a general packet radio service system (Figure 1).

Regarding claim 3 and 12, Wallenius teaches fraud and quality of service monitored in real-time utilizing the call description record information and the Internet Protocol content usage information (Column 5 Line 15-18).

Regarding claim 4 and 13, Wallenius teaches the customer charged for the customer communication based on volume data (“the amount of data transferred” in Column 5 Line 17).

Regarding claim 5 and 14, Wallenius teaches the customer charged for the customer communication based on time data of the call description record information (“the duration of the service used” in Column 5 Line 16-17).

Regarding claim 19, Wallenius teaches a system for charging for Internet Protocol usage utilizing a wireless network, comprising: (a) logic 14 for receiving call description record information from a wireless network in real-time, wherein the call description record information is associated with customer communication over the wireless network (Column 5 Line 31-33); (b) logic 14 for collecting Internet Protocol content usage information associated with the transmission of content using an IP during the customer communication in real-time (Column 5 Line 6-18); and (c) logic 15 for charging the customer for the customer communication utilizing the call description record information and the Internet Protocol content usage information (Column 6 Line 1-3). Wallenius, however, does not teach the customer is charged for the customer communication by mapping the Internet Protocol content usage information to the call description record information to generate mapped information that is filtered, enhanced and

aggregated prior to being delivered to a billing module. Albal teaches the customer is charged for the customer communication by mapping the Internet Protocol content usage information 94 to the call description record information 88 to generate mapped information 102 that is filtered, enhanced and aggregated prior to being delivered to a billing module (Column 7 Line 42-59, see Figure 4 and 5); wherein the mapping includes collecting source 154, an amount of sent and received data 156 and delivery time 160; wherein the mapping includes storing a table in memory that is used to associate dynamic IP flow with wireless identity information (Figure 2, IMSI is a standard.). It would have been obvious to one skilled in the art to modify Wallenius to have the internet protocol content usage information to the call description record information as taught by Albal in order to consolidate billings (Column 8 Line 28-36). Wallenius in view of Albal, however, does not teach collecting source and destination Internet Protocol address, application information and start timestamps. Bullard teaches collecting source and destination Internet Protocol address 526 and 528, application information 264, and start timestamps 516. It would have been obvious to one skilled in the art to modify Wallenius in view of Albal to collect source and destination Internet Protocol address, application information and start timestamps as taught by Bullard

in order to provide more complete information to billing module (Column 3 Line 10-15).

Regarding claim 30, Albal teaches the Internet Protocol usage information 94 is mapped to the call description record information 88 to generate a modified call description record 102 (Figure 4, also see Figure 5).

Regarding claim 33, Albal teaches the Internet Protocol content usage information 94 and the call description record 88 are mapped to a lightweight directory access protocol (LDAP) database and aggregated with an aggregator, resulting in contract records (Figure 4 and 5, LDAP is a standard).

Regarding claim 34, Wallenius teaches information collected through NetFlow and remote tariff monitoring (RMON) web process is further enhanced by a global system for mobile communication (GPRS) associator (Column 3 Line 25-31).

Regarding claim 35, Wallenius teaches synchronization between distributed associators (Column 3 Line 8-12).

Regarding claim 36, Albal teaches the mapping provides competitive content-based tariff models (Figure 5).

4. Claim 20, 21, 24, 25, 28, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (US Patent 6,608,832) in view of Albal and further in view of Bullard et al..

Regarding claim 20, Forslow teaches a method and computer program product for altering service over a wireless network based on an Internet Protocol (IP) address comprising: (a) receiving a call from a mobile communication unit utilizing a wireless network, wherein the mobile communication unit 16 has an IP address associated therewith (Column 9 Line 30-31); (b) identifying the IP address associated with the mobile communication unit (Column 15 Line 26-27); and (c) altering service over the wireless network based on the IP address (Column 15 Line 26-29). Forslow also teaches the service altered by altering an access provided to the mobile communication unit during the call (Column 15 Line 33-40) and the service altered by altering a prioritization of the call (Column 5 Line 11-13 and Column 13 Line 6-9). Forslow, however, does not teach the customer is charged for the customer communication by mapping the Internet Protocol content usage information to the call description record information to generate mapped information that is filtered, enhanced and aggregated prior to being delivered to a billing module. Albal teaches the customer is charged for the customer communication by mapping the Internet Protocol content usage information 94 to

the call description record information 88 to generate mapped information 102 that is filtered, enhanced and aggregated prior to being delivered to a billing module (Column 7 Line 42-59, see Figure 4 and 5); wherein the mapping includes collecting source 154, an amount of sent and received data 156 and delivery time 160; wherein the mapping includes storing a table in memory that is used to associate dynamic IP flow with wireless identity information (Figure 2, IMSI is a standard.). It would have been obvious to one skilled in the art to modify Forslow to have the internet protocol content usage information to the call description record information as taught by Albal in order to consolidate billings (Column 8 Line 28-36). Forslow in view of Albal, however, does not teach collecting source and destination Internet Protocol address, application information and start timestamps. Bullard teaches collecting source and destination Internet Protocol address 526 and 528, application information 264, and start timestamps 516. It would have been obvious to one skilled in the art to modify Forslow in view of Albal to collect source and destination Internet Protocol address, application information and start timestamps as taught by Bullard in order to provide more complete information to billing module (Column 3 Line 10-15).

Regarding claim 21, Forslow teaches the service altered by altering a quality of service of the call (Column 13 Line 6-9).

Regarding claim 24, Forslow teaches a method and computer program product for altering service over a wireless network based on an Internet Protocol (IP) address comprising: (a) receiving a call from a mobile communication unit utilizing a wireless network, wherein the mobile communication unit 16 has an IP address associated therewith (Column 9 Line 30-31); (b) identifying the IP address associated with the mobile communication unit (Column 15 Line 26-27); and (c) altering service over the wireless network based on the IP address (Column 15 Line 26-29). Forslow, however, does not teach the customer is charged for the customer communication by mapping the Internet Protocol content usage information to the call description record information to generate mapped information that is filtered, enhanced and aggregated prior to being delivered to a billing module. Albal teaches the customer is charged for the customer communication by mapping the Internet Protocol content usage information 94 to the call description record information 88 to generate mapped information 102 that is filtered, enhanced and aggregated prior to being delivered to a billing module (Column 7 Line 42-59, see Figure 4 and 5); wherein the mapping includes collecting source 154, an amount of sent and received data 156 and delivery time 160; wherein the mapping includes storing a table in memory that is used to associate dynamic IP flow with wireless identity information (Figure 2, IMSI is a

standard.). It would have been obvious to one skilled in the art to modify Forslow to have the internet protocol content usage information to the call description record information as taught by Albal in order to consolidate billings (Column 8 Line 28-36). Forslow in view of Albal, however, does not teach collecting source and destination Internet Protocol address, application information and start timestamps. Bullard teaches collecting source and destination Internet Protocol address 526 and 528, application information 264, and start timestamps 516. It would have been obvious to one skilled in the art to modify Forslow in view of Albal to collect source and destination Internet Protocol address, application information and start timestamps as taught by Bullard in order to provide more complete information to billing module (Column 3 Line 10-15).

Regarding claim 25, Forslow teaches the service altered by altering a quality of service of the call (Column 13 Line 6-9).

Regarding claim 28, Forslow teaches a system for altering service over a wireless network based on an Internet Protocol (IP) address comprising: (a) logic 116 for receiving a call from a mobile communication unit utilizing a wireless network, wherein the mobile communication unit 16 has an IP address associated therewith (Column 9 Line 30-31); (b) logic 116 for identifying the IP address associated with the mobile communication unit (Column 15 Line 26-27); and (c)

logic 116 for altering service over the wireless network based on the IP address (Column 15 Line 26-29). Forslow, however, does not teach the customer is charged for the customer communication by mapping the Internet Protocol content usage information to the call description record information to generate mapped information that is filtered, enhanced and aggregated prior to being delivered to a billing module. Albal teaches the customer is charged for the customer communication by mapping the Internet Protocol content usage information 94 to the call description record information 88 to generate mapped information 102 that is filtered, enhanced and aggregated prior to being delivered to a billing module (Column 7 Line 42-59, see Figure 4 and 5); wherein the mapping includes collecting source 154, an amount of sent and received data 156 and delivery time 160; wherein the mapping includes storing a table in memory that is used to associate dynamic IP flow with wireless identity information (Figure 2, IMSI is a standard.). It would have been obvious to one skilled in the art to modify Forslow to have the internet protocol content usage information to the call description record information as taught by Albal in order to consolidate billings (Column 8 Line 28-36). Forslow in view of Albal, however, does not teach collecting source and destination Internet Protocol address, application information and start timestamps. Bullard teaches collecting source and destination Internet Protocol

address 526 and 528, application information 264, and start timestamps 516. It would have been obvious to one skilled in the art to modify Forslow in view of Albal to collect source and destination Internet Protocol address, application information and start timestamps as taught by Bullard in order to provide more complete information to billing module (Column 3 Line 10-15).

Regarding claim 37, Forslow teaches the access is altered by selectively precluding access to a particular network based on whether the IP address resides within a predetermined address group (Column 16 Line 39-43).

Regarding claim 38, Forslow teaches the prioritization includes prioritization of packet flows based on an IP address source and destination so that a mobile communication unit assigned a higher priority receives faster service by being serviced before mobile communication units with a lower priority (Column 5 Line 11-13 and Column 13 Line 6-9).

5. Claim 7-9, 16-18 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallenius in view of Forslow and further in view of Albal and Bullard et al..

Regarding claim 7 and 16, Wallenius teaches a method for charging for Internet Protocol usage utilizing a wireless network, comprising: (a) receiving call description record information from a wireless network in real-time, wherein the

call description record information is associated with customer communication over the wireless network (Column 5 Line 31-33); (b) collecting Internet Protocol content usage information associated with the transmission of content using an IP during the customer communication in real-time (Column 5 Line 6-18); and (c) charging the customer for the customer communication utilizing the call description record information and the Internet Protocol content usage information (Column 6 Line 1-3). Wallenius also teaches mobile communication units 110 which are capable of communicating using the wireless network. Wallenius, however, does not teach an Internet Protocol (IP) address assigned to mobile communication units. Forslow teaches an Internet Protocol (IP) address assigned to mobile communication units 16 (Column 9 Line 30-31). It would have been obvious to one skilled in the art to modify Wallenius to assign IP address to mobile communication unit as taught by Forslow in order to establish a network layer bearer communication between the mobile and an external network entity (Column 9 Line 26-29). Wallenius in view of Forslow, however, does not teach the customer is charged for the customer communication by mapping the Internet Protocol content usage information to the call description record information to generate mapped information that is filtered, enhanced and aggregated prior to being delivered to a billing module. Albal teaches the customer is charged for the

customer communication by mapping the Internet Protocol content usage information 94 to the call description record information 88 to generate mapped information 102 that is filtered, enhanced and aggregated prior to being delivered to a billing module (Column 7 Line 42-59, see Figure 4 and 5); wherein the mapping includes collecting source 154, an amount of sent and received data 156 and delivery time 160; wherein the mapping includes storing a table in memory that is used to associate dynamic IP flow with wireless identity information (Figure 2, IMSI is a standard.). It would have been obvious to one skilled in the art to modify Wallenius in view of Forslow to have the internet protocol content usage information to the call description record information as taught by Albal in order to consolidate billings (Column 8 Line 28-36). Wallenius in view of Forslow and Albal, however, does not teach collecting source and destination Internet Protocol address, application information and start timestamps. Bullard teaches collecting source and destination Internet Protocol address 526 and 528, application information 264, and start timestamps 516. It would have been obvious to one skilled in the art to modify Wallenius in view of Forslow and Albal to collect source and destination Internet Protocol address, application information and start timestamps as taught by Bullard in order to provide more complete information to billing module (Column 3 Line 10-15).

Regarding claim 8 and 17, Forslow teaches aspects associated with the customer communication over the wireless network varied based on the IP address (Column 15 Line 26-29).

Regarding claim 9 and 18, Forslow teaches the aspects selected from the group consisting of quality of service, access, and prioritization (Column 5 Line 11-13, Column 13 Line 6-9 and Column 15 Line 33-40).

Regarding claim 29, Wallenius teaches a system comprising: (b) means 14 for receiving call description record information from the wireless network in real-time, wherein the call description record information is associated with customer communication over the wireless network utilizing the mobile communication unit (Column 5 Line 31-33); (c) means 14 for collecting Internet Protocol content usage information associated with the transmission of content using an IP during the customer communication in real-time (Column 5 Line 6-18); and (e) means 15 for charging the customer for the customer communication utilizing the call description record information and the Internet Protocol content usage information (Column 6 Line 1-3). Wallenius, however, does not teach (a) means for receiving a call from a mobile communication unit of a customer utilizing a wireless network, wherein the mobile communication unit has an IP address associated therewith; and (d) means for altering service over the wireless network based on

the IP address, wherein the service altered by altering an access provided to the mobile communication unit during the call and wherein the service altered by altering a prioritization of the call. Forslow teaches (a) means 116 for receiving a call from a mobile communication unit of a customer utilizing a wireless network, wherein the mobile communication unit has an IP address associated therewith (Column 9 Line 30-31); and (d) means 116 for altering service over the wireless network based on the IP address (Column 15 Line 26-29), wherein the service altered by altering an access provided to the mobile communication unit during the call (Column 15 Line 33-40) and wherein the service altered by altering a prioritization of the call (Column 5 Line 11-13 and Column 13 Line 6-9). It would have been obvious to one skilled in the art to modify Wallenius to assign IP address to mobile communication unit as taught by Forslow in order to establish a network layer bearer communication between the mobile and an external network entity (Column 9 Line 26-29). Wallenius in view of Forslow, however, does not teach the customer is charged for the customer communication by mapping the Internet Protocol content usage information to the call description record information to generate mapped information that is filtered, enhanced and aggregated prior to being delivered to a billing module. Albal teaches the customer is charged for the customer communication by mapping the Internet

Protocol content usage information 94 to the call description record information 88 to generate mapped information 102 that is filtered, enhanced and aggregated prior to being delivered to a billing module (Column 7 Line 42-59, see Figure 4 and 5); wherein the mapping includes collecting source 154, an amount of sent and received data 156 and delivery time 160; wherein the mapping includes storing a table in memory that is used to associate dynamic IP flow with wireless identity information (Figure 2, IMSI is a standard.). It would have been obvious to one skilled in the art to modify Wallenius in view of Forslow to have the internet protocol content usage information to the call description record information as taught by Albal in order to consolidate billings (Column 8 Line 28-36). Wallenius in view of Forslow and Albal, however, does not teach collecting source and destination Internet Protocol address, application information and start timestamps. Bullard teaches collecting source and destination Internet Protocol address 526 and 528, application information 264, and start timestamps 516. It would have been obvious to one skilled in the art to modify Wallenius in view of Forslow and Albal to collect source and destination Internet Protocol address, application information and start timestamps as taught by Bullard in order to provide more complete information to billing module (Column 3 Line 10-15).

Response to Arguments

6. Applicant's arguments with respect to claim 1-5, 7-14, 16-21, 24, 25, 28-30 and 33-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clemence Han whose telephone number is (571) 272-3158. The examiner can normally be reached on Monday-Thursday 7 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.H.

Clemence Han
Examiner
Art Unit 2665



STEVEN NGUYEN
PRIMARY EXAMINER